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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;

16 OTTOMOTTO LLC; OTTO TRUCKING

17 LLC,

18 Defendants.

CASE NO. 3:17-cv-00939-WHA

**DECLARATION OF JORDAN JAFFE IN
SUPPORT OF PLAINTIFF WAYMO
LLC'S MOTION TO COMPEL UBER
SOURCE CODE**

1 I, Jordan Jaffe, hereby declare as follows.

2 1. I am a member of the bar of the State of California and a partner with Quinn
3 Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff Waymo LLC ("Waymo"). I make this
4 declaration of personal, firsthand knowledge, and if called and sworn as a witness, I could and
5 would testify competently as follows.

6 2. Attached as Exhibit 1 is a true and correct copy of Exhibit 37 to the Stroz Report,
7 bearing bates label UBER00312869-80.

8 3. Attached as Exhibit 2 is a true and correct copy of September 30, 2017
9 correspondence sent to counsel for Defendants regarding Otto/Uber source code.

10 4. Attached as Exhibit 3 is a true and correct copy of excerpts from the August 2,
11 2017 deposition transcript of Jur Van Den Berg.

12 5. Attached as Exhibit 4 is a true and correct copy of excerpts from the August 18,
13 2017 deposition transcript of Don Burnette.

14 6. Attached as Exhibit 5 is a true and correct copy of a document produced by Stroz
15 from the custodial files of Don Burnette, bearing bates label STROZ_R_000178997-
16 STROZ_R_000179000.

17 I declare under penalty of perjury under the laws of the State of California that the
18 foregoing is true and correct.

19 DATED: October 9, 2017

20 /s/ Jordan Jaffe
Jordan Jaffe

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22
23
24 **SIGNATURE ATTESTATION**

25 Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the
26 filing of this document has been obtained from Jordan Jaffe.

27 /s/ Charles K. Verhoeven
28 Charles K. Verhoeven